

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

MARK GILMORE, MARY GILMORE,

Plaintiffs,

v.

TRANS UNION LLC,

Defendant.

Case No. 3:21-CV-302 JD

**OPINION AND ORDER**

Now before the Court is a motion by the Plaintiffs, Mark Gilmore and Mary Gilmore, for voluntary dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41. Under Rule 41(a)(1)(A)(i), a plaintiff may dismiss an action as of right by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. The Defendant, Trans Union, LLC, has not served either an answer or motion for summary judgment, so the Plaintiffs are entitled to dismiss this action. Accordingly, the Plaintiffs' motion to dismiss (DE 29) is GRANTED, and the action is DISMISSED WITH PREJUDICE. The Clerk of the Court is DIRECTED to close this case.

SO ORDERED.

ENTERED: January 28, 2022

/s/ JON E. DEGUILIO  
Chief Judge  
United States District Court